

## **INTRODUCTION**

### **A. State Planning Process and Participants**

Legal Services of the Virgin Islands, Inc. (LSVI) was organized in 1969 under the former Office of Economic Opportunity, Neighborhood Legal Services Program. It is the only entity in the Territory of the United States Virgin Islands that provides civil legal assistance to poor people.

The U.S. Virgin Islands has four (4) primary inhabited islands, which are St. Croix, St. John, St. Thomas and Water Islands. The Virgin Islands are located approximately 1,800 miles southeast of Miami, Florida and approximately 80 miles southeast of San Juan, Puerto Rico. Point Udall, located on the eastern coast of St. Croix, is the eastern most point of the United States of America. The Virgin Islands have a population of approximately 110,000 people. LSVI operates territory-wide with offices on the islands of St. Croix and St. Thomas. Services to St. John and Water Island are provided on an outreach basis from the St. Thomas branch office. The St. Croix office serves as the administrative office.

There was no formal planning entity established to prepare this report. The stakeholders who are involved in the civil legal assistance system in addition to LSVI are the Virgin Islands Bar Association, Virgin Islands Legal Assistance Foundation, Inc. (local IOLTA program), Virgin Islands Advocacy, Inc. (this agency represents the interest of disabled individuals under the ADA) and the Virgin Islands Domestic Violence Coordinating Council, Inc. (this organization provides a coordinated approach to domestic violence

awareness and intervention in the territory). There are no law schools and no other public interest law firms or agencies except LSVI, in the United States Virgin Islands. The Virgin Islands Judicial Council, which is a statutory entity made up of representatives from the entities which comprises the justice system in the United States Virgin Islands, has supported LSVI's effort to provide legal service to the poor and under served in the territory. Members of the Judicial Council are the Chief Judge of the U.S. District Court of the Virgin Islands, the Presiding Judge of the V.I. Territorial Court, the President of the V.I. Legislature, the U.S. District Attorney for the V.I., the Attorney General of the V.I., the Clerk of the U.S. District Court of the V.I., the Clerk and Administrator of the V.I. Territorial Court, the Federal Public Defender, the Chief Territorial Public Defender, the President of the V.I. Bar Association and the Executive Director of LSVI. The LSVI Executive Director gives a report on the status of civil legal assistance to the poor at each Judicial Council meeting.

LSVI did not initially submit a report as required under Program Letter 98-1. It was assumed that since LSVI was already operating on a territory-wide basis, that a report would be unnecessary. This assumption was incorrect, and pursuant to the request made in correspondence dated February 2, 2000 this report is submitted.

## **I. Intake, Advice and Referral**

Intake is handled pursuant to the LSVI case management system. Intake is primarily initiated through the telephone. There is some walk-in request for services. The person is screened for eligibility and given an appointment. All telephone calls in the territory are local calls. Because of the culture of the territory, each island must have its own local intake procedures, therefore, a central intake system is not feasible at this time.

Following the legal assessment made at the intake interview, the appropriate legal assistance, including advice and counsel and referral is provided.

The Virgin Islands are geographically isolated from other Legal Services programs. The nearest program in distance is Puerto Rico, a significant language differences does not allow any joint activities. Since LSVI is the only agency providing free civil legal assistance to the poor in the United States Virgin Islands, there is no integrated delivery system.

## **II. Technology**

LSVI provides a computer on the desk of each staff member. The computers are networked within the office and have e-mail and Internet capability. LSVI uses the Western New York Law Center/TIME computerized case management and timekeeping system. The case handlers also have the capacity to do computerized legal research utilizing a CD-rom, including Virgin Islands Law. We are presently negotiating with Westlaw and Lexis to expand our legal research capabilities.

The agency underwent a Y2K assessment prior to the year 2000. The consultant also did an evaluation of our technology capabilities and provided us with information to periodically update our system. We are in the process of developing a website.

The Federal District Court clerk's office is computerized and we are able to transmit documents electronically. The Territorial Court clerk's office is not yet computerized.

## **III. Access to the Courts, Self-Help and Preventive Education**

LSVI is involved in collaborative efforts with other local service providers in the area of domestic violence. LSVI staff participate in collaborative efforts with the Virgin Islands Domestic Violence Coordinating Council and the Women's Advocacy Groups to provide

legal assistance to victims of domestic violence through direct legal representation and *pro se* clinics; and in providing preventive legal education and public awareness to the community through public appearances and radio and television PSA's. We have also jointly developed a brochure and other informational materials. LSVI is presently in the process of preparing a *pro se* manual for victims of domestic violence. This manual will advise victims of the court procedure and process. This manual is user-friendly and written in a manner that can be understood by the clients. We are also in the process of having it translated to Spanish, since there is a large Spanish population in the Virgin Islands, particularly on the island of St. Croix.

#### **IV. Coordination of Legal Work, Training, Information and Expert Assistance**

The major portion of the professional training of LSVI staff members is through attendance at mainland conferences and training activities. The Virgin Islands Bar does not have a mandatory Continuing Legal Education requirement. Consequently, there are few CLE opportunities. LSVI staff participates in all of the CLE activities which are held in the territory.

LSVI staff, under a Civil Legal Assistance to Victims of Domestic Violence Grant from the United States Department of Justice, Office of Justice Programs, provide mentoring to private attorneys in domestic violence issues. We have also recruited and trained private attorneys to provide civil legal assistance to victims of domestic violence. We are in the process of developing a practice manual for handling domestic violence issues.

#### **V. Private Attorney Involvement**

The present status of Private Attorney Involvement in the territory is tenuous. There has over the years been a reluctance of members of the private bar to take *low fee* or *pro bono* cases under the PAI program. LSVI has employed a part-time PAI Coordinator to try to put some life into the program. The number of referrals has increased since her employment. LSVI intends to employ some innovative recruiting and retention techniques in the PAI project. We will work with the Courts and the VI Bar Association in this effort.

## **VI. Resource Development**

LSVI has for years been attempting to diversify its funding source. It recently completed a private bar campaign assessment by an outside consultant. The results was that a campaign is feasible if properly implemented. We are now attempting to organize such a campaign. We are also considering a capital campaign to implement in conjunction with the construction of our new office building on the island of St. Thomas. We anticipate making the complex a Community Law Center. LSVI will conduct community legal education activities and *pro se* projects, in addition to the building housing the legal services offices. It is also anticipated that the building will house a telecommunication center, which will allow us to hold teleconferences between our two offices. We will also continue our effort to preserve our local funding from the Virgin Islands government, notwithstanding its present dire economic plight. There has been collaboration with the Virgin Islands Legal Assistance Foundation (IOLTA program) in an effort to expand the participation of attorneys in the IOLTA program. The IOLTA program is not mandatory, and there are only approximately 35% attorneys participation.

## **VII. System Configuration**

LSVI has been in existence for over thirty years and it is not anticipated that there will be any change in configuration of the delivery of civil legal assistance to the poor in the Virgin Islands.